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Butler Co. attorneys give time to provide equality in justice

*By Jackie Harder ~ Staff Writer
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There are more than 30 attorneys in Butler County that volunteer for an organization offering free legal services for low income or elderly households. Legal Services of Southern Missouri (LSSM) serves 43 counties in this area and is dedicated to ensuring all people, regardless of their income, equal access to legal advice and counsel. Out of the 43 counties in the LSSM service region, Butler County has the fifth highest number of cases served in 2001 and the third largest number of attorney panel members.

"The Butler County attorneys have really stepped up to the plate to help us represent the poor population in this county," said LSSM Director of Development Sharon Alexander. "We had approximately 400 cases in Butler County last year."

LSSM is funded by the Legal Services Corporation (LSC)- a private, not-for-profit organization. Created by Congress, LSSM also receives funding from the Missouri Lawyer Trust Account Foundation and local area agencies on aging. But LSSM credits the attorneys that volunteer their time and skills to representing the underprivileged and elderly for the success of the organization. Currently, LSSM utilizes the services of 243 private attorneys who provide a minimum of 20 hours of pro bono or two pro bono cases per year.

"Fundamentally, what we're trying to do is provide equal access to justice, for all people - regardless of their economic standing," said LSSM Board Member and volunteer attorney, Fred Hall. "If a husband knocks his wife down, breaks her jaw or arm - abuses her terribly - he will be picked up and put in jail. But he's entitled to have a public defender ... Don't you think she's entitled to have a lawyer to get a temporary restraining order from this guy?"

LSSM operates like a law firm, but does not charge fees to their clients. Due to federal guidelines, LSSM does not accept cases concerning criminal, post-criminal, or municipal court matters. Rather, the attorneys provide pro bono counsel in matters such as protecting victims of spouse or child abuse, protecting individuals and families from loss of housing through illegal eviction or assisting the elderly in disputing Medicaid claim denials.

"One example of a case we recently handled was over in Springfield," Alexander said. "There was an elderly woman who had some plumbing work done to her home and the work was not up to standards and the cost was above what it should have been ... we were able to help her through our pro bono program. One local Springfield attorney volunteered to handle the case."

According to Alexander, the LSSM attorney won the case and the woman did not have to pay for the shoddy plumbing, nor did she have to pay any attorney fees. About two weeks later, the local newspaper reported that the sheriff's department was investigating the plumbing company for defrauding the elderly.

To qualify for legal assistance, one's income must be at or below 125 percent of the poverty level, as determined by the federal government. According to statistics provided by LSSM, 15.8 percent of the population in LSSM's service area are classified as poor and 20 percent are classified as elderly. Due to their limited staff and budget, LSSM can only serve a fraction of those who need legal representation. In 2001, almost half of LSSM case applications were denied.